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Attorney Docket. No. P63943US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of MIURA et al.

Serial No. 09/417,135

Group Art Unit 1745

Filed October 13, 1999

Examiner J. MERCADO

For: SOLID POLYMER ELECTROLYTE AND USE THEREOF

**REQUEST UNDER 37 CFR 1.312 FOR
RETURN OF EXAMINER-INITIALED FORM PTO 1449**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On January 6, 2003, an Information Disclosure Statement (IDS), including a completed Form PTO 1449 and a copy of the reference cited, thereon, was filed in the PTO.

The subject application has been allowed; however, the submitted Form PTO 1449, initialed by the Examiner to show consideration of the cited reference, has yet to be provided by the PTO, i.e., it was neither attached to the Notice of Allowance (mailed February 12, 2004) nor included with any paper issued by the PTO.

Accordingly, Applicants request that the PTO return the submitted Form PTO 1449, as initialed by the Examiner, i.e., to confirm that the reference cited, thereon, was considered by the Examiner during prosecution of the subject application.

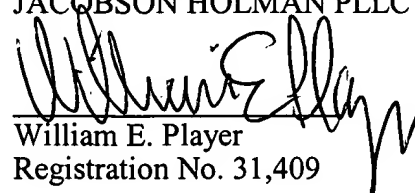
Attached, hereto, for the Examiner's convenience is a copy of the IDS, including the Form PTO 1449 and the reference cited thereon, and a copy of the corresponding receipt card, date stamped "JAN 06 2003" by the PTO.

Favorable action is requested.

Respectfully submitted,

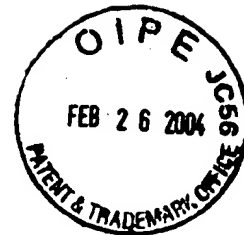
JACOBSON HOLMAN PLLC

By


William E. Player
Registration No. 31,409

400 Seventh Street, N. W.
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Tel. (202) 638-6666
Fax (202) 393-5350
Date: February 26, 2003
WEP/bap

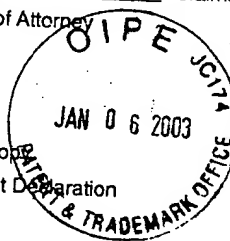
R:\Home\thomas\2004\FEBRUARY\P63943-Rule 312.wpd



Q JH Ref P63943050 Today's Date 1/6/03
Serial/Patent No. 09/417,135
Applicant, Patentee, Assignee KATSOH to MIUKA
Filing Date/Patent Date 10-13-99

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

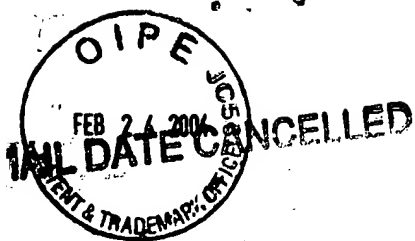
- | | |
|---|---|
| <input type="checkbox"/> _____ pp. Specification & _____ Claims | <input type="checkbox"/> Response to Office Action |
| <input type="checkbox"/> Combined Declaration, Power of Attorney | <input checked="" type="checkbox"/> Disclosure Statement-IDS |
| <input type="checkbox"/> Preliminary Amendment | <input checked="" type="checkbox"/> Copies of References |
| <input type="checkbox"/> Rule 53 (b) Application | <input type="checkbox"/> Request for Refund |
| <input type="checkbox"/> Rule 53 (d)/RCE Application | <input type="checkbox"/> Request for Corrected Filing Receipt |
| <input type="checkbox"/> Claim to Priority and Certified Copy | <input type="checkbox"/> Petition for XOT |
| <input type="checkbox"/> Substitute <input type="checkbox"/> Subsequent Declaration | <input type="checkbox"/> Notice of Appeal/Brief |
| <input type="checkbox"/> Maintenance Fee | <input type="checkbox"/> Sequence Listing |
| <input type="checkbox"/> Drawings _____ Sheets _____ Formal _____ Informal | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Assignment/Change of Name | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Small Entity Declaration | |
| <input type="checkbox"/> Check for \$ _____ | |



COPY

JH 11/01 DUE DATE _____
Person filing Thomas

JACOBSON HOLMAN PLLC
400 SEVENTH STREET, N.W.
WASHINGTON, D.C. 20004



Atty. Docket No. P63943US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Katsuhito MIURA

Serial No. 09/417,135

Art Unit 1745

Filed: October 13, 1999

Examiner MERCADO, Julian A.

For: SOLID POLYMER ELECTROLYTE AND USE THEREOF

COPY

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
United States Patent and Trademark Office
Washington, DC 20231

Sir:

In accordance with 37 CFR 1.56, 1.97, and 1.98, submitted herewith is the information listed on the attached Form PTO-1449 and, as appropriate, available copies of references listed are attached.

In an Office Action, issued November 5, 2002 on a Japanese counterpart application, the following two references are cited.

1. JP-A-7-296822
2. WO 97/39055

Submitted herewith is a copy of the Office Action and the first cited reference JP-A-7-296822 with its English language abstract.

WO 97/39055 was cited in the IDS filed April 28, 2000, and considered by the Examiner.

Each reference listed was first cited in any communication from a foreign patent office in part foreign application not more than three months prior to the filing of this statement.

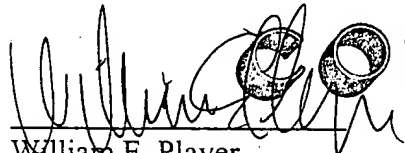
Atty. Docket P63943US0
Application No. 09/417,135

Therefore, this statement being filed after first action on the merits, but before prosecution closes,
no fee is required. Should a fee be required, please charge it to Deposit Account No. 06-1358.

Respectfully submitted,

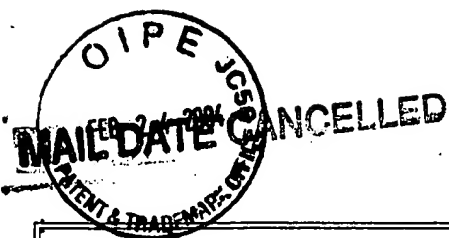
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Atty. Docket: P63943US0
Date: January 6, 2003
WEP/rdt

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Sheet 1 of 1

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: January 6, 2003

ATTY DOCKET NO.:

P63943USO

SERIAL NO.:

09/417,135

APPLICANT: Katsuhito MIURA et al.

FILING DATE: October 13, 1999

GROUP: 1745

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
		JP A 7 296822	11/1995	JAPAN - (English language Abstract				

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.